

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Charles Henry HORN et al. Confirmation No.: 1275

Application No.: 10/521,847 Group No.: 1651

Filed: November 23, 2005 Examiner: Kade Ariani

For: *Megasphaera elsdenii* Strain And Its Uses

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AMENDMENT & RESPONSE AFTER FINAL REJECTION

Sir: This Amendment & Response is filed in response to the final Office Action dated December 12, 2007 in which pending claims 23, 24 and 26-57 were rejected. The Applicant respectfully requests entry of the following amendments and reconsideration.

Amendments to the Claims are reflected in the listing of claims that begins on page 2 of this paper.

Remarks/Arguments begin on page 7 of this paper.

{Practice Areas\Corp\21439\00001\A4023536.DOC}

CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) and 1.10*

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